

APPROVED

**BOARD OF DENTISTRY
MINUTES OF REGULATORY/LEGISLATIVE COMMITTEE**

Thursday, December 7, 2006

Department of Health Professions
6603 W. Broad Street, 5th Floor
Richmond, Virginia 23230
Board Room 2

- CALL TO ORDER:** The meeting was called to order at 2:10 p.m.
- PRESIDING:** Edward P. Snyder, D.D.S., Chair
- MEMBERS PRESENT:** Jacqueline G. Pace, R.D.H.
James D. Watkins, D.D.S.
Paul N. Zimmet, D.D.S., Ex-officio
- STAFF PRESENT:** Sandra Reen, Executive Director
Elaine Yeatts, Senior Policy Analyst
Catherine Chappell, Administrative Staff Assistant
- COUNSEL PRESENT:** Howard Casway, Senior Assistant Attorney General
- QUORUM:** All three members were present.
- PUBLIC COMMENT:** None
- MINUTES:** Dr. Snyder asked if the committee had reviewed the minutes of the May and September meetings. On a properly seconded motion by Dr. Watkins, the minutes of the meeting held on May 5, 2006 were approved. On a properly seconded motion by Dr. Watkins, the minutes of the meeting held on September 14, 2006 were approved with revision to page 3 to strike the typographical error "g".
- PROPOSED REGULATIONS FOR A DENTAL HYGIENIST TO ADMINISTER LOCAL ANESTHESIA AND NITROUS OXIDE:** Ms. Yeatts presented the committee with proposed regulations to describe the training requirements for dental hygienists to administer nitrous oxide or local anesthesia. She stated that the VCU School of Dentistry's recommendations as presented by Dr. Hunt were followed as discussed at the last committee meeting.
- Dr. Watkins suggested that the word "he" be replaced with "the dental hygienist" wherever it appears in the proposed regulation.
- Additionally, Dr. Watkins objected to requiring that dentists teach the clinical portion, noting that other states may use dental hygienists to teach the clinical portion. He asked Mr. Whitehead, a representative of the Virginia Dental Hygienist's Association, for

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information about the requirements in other states for teaching administration courses. Mr. Whitehead said he would obtain information from the national office and that he anticipated receiving a response before the December 8, 2006 board meeting.

Ms. Reen referred to the minutes of the September 14, 2006 meeting, noting that the committee had previously advised that only licensed dentists should be allowed to teach the clinical component. Amendments to allow dental hygienists to teach the clinical component were discussed without a consensus or a motion. Dr. Snyder tabled the discussion of teachers until the information from Mr. Whitehead is available.

Discussion of verification of training led to questions about determining substantial equivalency and to acceptance of courses taught as a part of a dental hygiene program. Mr. Whitehead noted that community college programs are bringing in dentists to teach the administration of nitrous oxide or local anesthesia as part of the core curriculum.

Ms. Yeatts noted that Kentucky requires certification in addition to the dental hygiene license in order to administer nitrous oxide or local anesthesia. She also indicated that the proposal from Dr. Hunt was to require graduation from a dental hygiene program as a condition for taking training in drug administration.

Ms. Williams of the VDHA suggested using experience rather than a time frame to determine a hygienist's readiness to teach drug administration. She suggested requiring a minimum number of patient experiences.

Dr. Zimmet asked if training would be a one time requirement or if re-certification should be required. The committee agreed to the one time certification. Dr. Zimmet asked if there should be a continuing education requirement. Ms. Reen noted that the guidance from the last meeting was not to add a CE requirement.

Dr. Levin noted that current CPR certification should be mandated, which the committee acknowledged was a current continuing education requirement.

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Dr. Levin asked if a dental assistant might adjust levels of nitrous oxide or turn it off in an emergency situation. The committee agreed that a dental assistant cannot do so, noting that nitrous oxide is a Schedule VI controlled drug.

Mr. Whitehead reported that he had contacted the ADHA and would be receiving a document with language for different states noting who was teaching local anesthesia and/or nitrous oxide to dental hygienists.

In a properly seconded motion, Dr. Zimmet moved that the committee recommend that the Board accept the proposed regulations, with the word "he" changed to "the dental hygienist" wherever it appears. The motion was adopted.

Dr. Levin advised that he would contact the dental school for their input on the use of dental hygienist to teach administration of local anesthesia and/or nitrous oxide to other dental hygienists.

**NOIRA for Public
Participation
Guidelines**

Ms. Yeatts presented the notice of intended regulatory action (NOIRA) for Public Participation Guidelines to the committee and advised that the PPG guidelines were identical for all the boards. The NOIRA contained updated language to clarify its provisions. She noted that electronic communication to interested parties was encouraged. Additionally she noted that the current term limit for participants on ad hoc committees was 12 months and that the recommendation was being made to extend such period to 18 months.

In a properly seconded motion, Dr. Watkins moved to accept the NOIRA as presented. The motion carried.

ADJOURNMENT

With all business concluded, the Committee adjourned at 3:10 p.m.

Edward P. Snyder, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date